

(41)(NEW) A polypeptide according to claim 39, wherein the polypeptide comprises 24 amino acids corresponding to positions 7-30 of the sequence of rat GIP, SEQ ID NO:8, or effective alternative sequences thereto.

8 (42)(NEW) A polypeptide having an amino acid sequence having the ability to signal through a GIP receptor, said polypeptide comprising at least those amino acids corresponding to positions 7-15 of GIP, SEQ ID NO 4.

## **Remarks**

### **I. Election/Restriction**

In response to the Office Action mailed on October 1, 1998 in connection with the above-identified application for U.S. patent, applicants elect to prosecute **Invention I**, i.e., claims 1 and 8 -16, at this time. Therefore, kindly cancel without prejudice claims 2-7 and 17. This election is nevertheless made with traverse.

### **II. Formal Matters**

Also in response to the Office Action mailed on October 1, 1998 in connection with the above-identified application for U.S. patent, an initial computer readable form (CRF) copy of the "Sequence Listing" and an initial paper copy of the "Sequence Listing" are submitted herewith. Kindly insert into the specification immediately prior to the claims the paper copy of the "Sequence Listing" submitted herewith.

The content of the "Sequence Listing" paper copy and the "Sequence Listing" computer readable copy submitted herewith are the same.

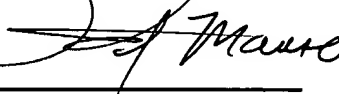
No new matter has been introduced into either the "Sequence Listing" paper copy or the "Sequence Listing" computer readable copy submitted herewith. All sequences, which are recited on the "Sequence Listing" paper copy and in the "Sequence Listing" computer readable copy submitted herewith and referenced with particularity in the specification of the above-identified application for U.S. patent, are reported in the references referred to in the specification of the above-identified application for U.S. patent. In particular, such sequences are reported in: (1) Takeda, Jun *et al.*; Proc. Natl. Acad. Sci. USA, *Sequence of an Intestinal cDNA Encoding Human Gastric*

*Inhibitory Polypeptide Precursor*, B84: 7005 - 7008 (October, 1987); (2) Tseng, Chi-Chuan, *et al.*: Proc. Natl. Acad. Sci. USA, *Glucose-Dependent Insulinotropic Peptide: Structure of the Precursor and Tissue-Specific Expression in Rat*, B90: 1992 - 1996 ( March, 1993); and (3) Bonner, T.I. and Usdin, T.B.: Genbank Accession No.U39231 (1995), all of which are referenced in the above-identified application for U.S. patent. Such sequences are also reported in (4) Jornvall, Hans *et al.*: FEBS LETTERS, *Amino Acid Sequence and Heterogeneity of gastric Inhibitory Polypeptide (GIP)*, 123(2):2-5 - 210 January, 1981). Copies of references 1, 2 and 4 identified above are submitted herewith.

### III. Conclusion

It is respectfully submitted that all presently pending claims are patentably distinct over the disclosures of record when the disclosures are considered either alone or any appropriate combination. It is further respectfully submitted that all currently pending claims are in conformance with 35 U.S.C. §112. As a result of the foregoing amendments and remarks together with the accompanying documents and the "Sequence Listing" paper copy and the "Sequence Listing" computer readable copy, it is respectfully submitted that the present application and all pending claims are now in condition for allowance. Therefore, early passage of the above-reference application for U.S. patent to issuance is earnestly solicited. Should the Examiner have any questions or require additional information or clarification, Applicant requests that the Examiner contact the attorney of record herein, Peter J. Manso, at the phone numbers noted below.

Respectfully Submitted,



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